

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listing of claims in the application.

Listing of Claims

1-10 (Cancelled)

11. (Currently Amended) A computer implemented method of controlling a performance of ~~an operation processing means~~ a computer having a memory means, an operation processing means, a monitoring means and a performance control means, said method comprising:

controlling, by the operation processing means, a performance represented by the number of instructions executed per unit time;

measuring, by said monitoring means, the performance of said operation processing means at predetermined intervals;

controlling, by said performance control means, the operation processing means to modify the performance of said operation processing means;

storing, in ~~control information~~ said memory means, control information which is a standard for modifying the performance of said operation processing means;

storing, in ~~history information~~ said memory means, history information of the performance of said operation processing means measured by said monitoring means; and

controlling, by said performance control means, the performance of said operation processing means in a range between an upper limit and a lower limit on the basis of said control information and said history information stored in said memory means.

12. (Previously Presented) A method according to claim 11, wherein said monitoring means measures the rate of operation of said operation processing means.

13. (Currently Amended) A method according to claim 11, wherein said performance control means modifies the performance of said operation processing

means when the state that the rate of operation is outside a predetermined range is continued for a predetermined time or more.

14. (Previously Presented) A method according to claim 11, wherein the performance of said operation processing means is modified by insertion of dummy step.

15. (Previously Presented) A method according to claim 11, wherein the performance of said operation processing means is modified by change of a clock frequency of said operation processing means.

16. (Previously Presented) A method according to claim 11, wherein said control information is modified on the basis of a request sent from a terminal.

17. (Previously Presented) A method according to claim 11, wherein said control information can be modified through a network.

18. (Previously Presented) A method according to claim 11, further comprising calculating, by accounting means, a charge for using said operation processing means to make billing.

19. (Previously Presented) A method according to claim 18, wherein said charge for using is calculated on the basis of said history information.

20. (Currently Amended) A computer implemented program for controlling performance ~~in an operation processing means~~ of a computer having a memory means, an operation processing means and a performance control means, said program executing the process comprising the steps of:

controlling a performance represented by the number of instructions executed per unit time;

measuring the performance of said operation processing means in the step of controlling a performance at predetermined intervals;

controlling said operation processing means to modify the performance at said step of controlling a performance;

storing in said memory means control information which is a standard for modifying the performance of said operation processing means;

storing in said memory means history information of the performance of said operation processing means measured in the step of measuring the performance; and

controlling the performance of said operation processing means on the basis of said control information and said history information stored in said memory means.

21. (Previously Presented) A computer implemented program according to claim 20,
wherein

said step of measuring measures the rate of operation of said operation processing means.

22. (Previously Presented) A computer implemented program according to claim 20,
wherein

said step of controlling said operation processing means modifies the performance of said operation processing means when the state that the rate of operation is outside a predetermined range is continued for a predetermined time or more.

23. (Previously Presented) A computer implemented program according to claim 20,
wherein

the performance of said operation processing means is modified by insertion of dummy step.

24. (Previously Presented) A computer implemented program according to claim 20,
wherein

the performance of said operation processing means is modified by change of a clock frequency of said operation processing means.

25. (Previously Presented) A computer implemented program according to claim 20,
wherein

said control information is modified on the basis of a request sent from a terminal.

26. (Previously Presented) A computer implemented program according to claim 20,
wherein

said control information can be modified through a network.

27. (Previously Presented) A computer implemented program according to claim 20, further comprising the step of calculating a charge for using said operation processing means to make billing.

28. (Previously Presented) A computer implemented program according to claim 27,
wherein

said charge for using is calculated on the basis of said history information.